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RUSSELL C. POWELL*
OF COUNSEL

*D.C. BAR ONLY

June 7, 1994

Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RECEIVED

JUN 9 1994

FCC MAIL ROOM

Re: Petition for Rulemaking
To Amend FM Table
of Allotments
Anchorage, Alaska

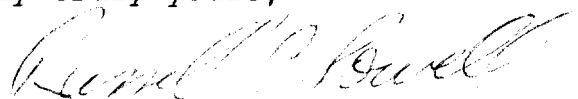
Dear Mr. Caton:

Christian Broadcasting, Inc., by its undersigned attorney, hereby submits an original and four copies of a Petition for Rulemaking to Amend Section 73.202 of the Commission's rules to add Channel 229C2 to the FM Table of Allotments at Anchorage, Alaska.

Please stamp and return the receipt copy of this petition in the stamped, self-addressed envelope provided.

This letter is not intended to be submitted to the Commission and may be discarded or returned with the receipt copy of the petition.

Very truly yours,



Russell C. Powell

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

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In re Amendment of)
)
Section 73.202 of the)
Commission's Rules to Assign) RM-
Channel 229 C2 to)
Anchorage, Alaska)

To: Chief, Mass Media Bureau

PETITION FOR RULEMAKING

Christian Broadcasting, Inc., by its undersigned counsel and pursuant to Section 1.401 of the Commission's Rules, respectfully requests the Commission to institute a rulemaking proceeding for the purpose of assigning FM Channel 229C2 to Anchorage, Alaska for commercial use. This will require an amendment to Section 202(b) of the Commission's Rules, FM Table of Assignments, as follows:

<u>Location</u>	<u>Add</u>	<u>Delete</u>
Anchorage, Alaska	229C2	None

The petitioner proffers the following facts in support of its request:

1. Christian Broadcasting, Inc. is an existing not-for-profit corporation duly organized under the laws of the State of Alaska. It is currently the licensee of KATB(FM), Anchorage, Alaska.

2. If the requested allocation is granted, petitioner will apply for a construction permit to construct and operate a full-service Class C2 FM station at Anchorage, Alaska on Channel 229.

3. The assignment of Channel 229C2 to Anchorage, Alaska can be accomplished in compliance with all current Commission

allocation standards, including applicable separation requirements. Attachment A hereto is an engineering statement prepared by Kevin T. Fisher of Smith and Powstenko, engineering consultants for petitioner. If the proposed channel is assigned to Anchorage, at least 80% of the city will be encompassed within the station's 3.16 mV/m contour, as required by the Commission's rules. Appropriate transmitter sites are available.

4. The community of Anchorage is a census designated city with a population of nearly 200,000 and is already listed in the FM Table of Allotments at Section 73.202 of the Commission's rules. It is clearly a licensable community.

5. Pursuant to Section 1.401(d) of the Commission's Rules, a draft Notice of Proposed Rulemaking is included as Attachment B.

WHEREFORE, for the foregoing reasons, Christian Broadcasting, Inc. asks that the Commission initiate a rulemaking proceeding to amend Section 73.202 of its rules by assigning FM Channel 229C2 to Anchorage, Alaska.

Respectfully submitted,

CHRISTIAN BROADCASTING, INC.

By: 

Russell C. Powell
Its Attorney

Taylor Thiemann & Aitken
908 King Street
Suite 300
Alexandria, Virginia 22314

June 7, 1994

ATTACHMENT A

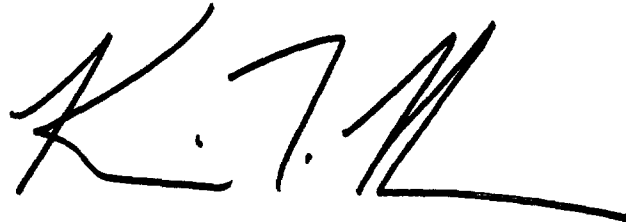
ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of CHRISTIAN BROADCASTING, INC., in support of its Petition for Rulemaking to amend the Table of FM Allotments by adding Channel 229C2 to Anchorage, Alaska.

Channel 229C2 can be added in full compliance with the FCC's spacing Rules, as long as there is a site restriction of 15 kilometers south-southwest of the Anchorage reference coordinates. Sufficient area is available for the selection of a site from which a proposed facility would comply with the Commission's community-of-license coverage requirements.

Attached hereto is a computer printout showing the required spacings to pertinent facilities, based upon the Anchorage reference coordinates, 61° 13' 06", 149° 53' 30".

I declare under penalty of perjury that the foregoing statements and the attached printout are true and correct to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to read 'K. T. Fisher', with a long horizontal stroke extending to the right.

KEVIN T. FISHER

May 31, 1994

SMITH AND POWSTENKO

SMITH and POWSTENKO
Broadcast Consultants

Page 1
May 25, 1994

FM Spacing study

Title: ANCHORAGE, ALASKA
Channel 229C2 (93.7 MHz)
Database: DW 05/16/94

Latitude: 61-13-06
Longitude: 149-53-30
Safety zone: 20 km

Call	Auth	Licensee name	Chan	ERP-kw	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
ALLOC			226B		53-55-00	104.7	1817	74
PRINCE GEORGE	BC		93.1		122-45-00	307.7	1743	CLEAR
ALLOC			227A		55-01-48	111.0	1381	76
GREENVILLE	BC		93.3		129-34-46	308.4	1305	CLEAR
ALLOC			228A		64-02-12	32.3	379.8	106
DELTA JUNCTION	AK		93.5		145-44-00	216.0	273.8	CLEAR
ALLOC REOPENS PER CP CANCELLATION; COORDINATES ASSUMED								
CBUF7	LIC		229A	.07	55-47-08	96.1	1834	206
DAWSON CREEK	BC		93.7	88	120-12-22	301.6	1628	CLEAR
CFAT2	LIC		230A	0	59-35-40	94.4	909.6	132
ATLIN	BC		93.9		133-43-09	288.5	777.6	CLEAR
ALLOC			231B		55-29-20	95.6	1928	94
GRANDE PRAIRIE	AB		94.1		118-48-50	302.2	1834	CLEAR
KADX	CP	AMERICAN RADIO BROKERS	232A	6	61-34-05	13.0	40.01	55
HOUSTON	AK	BPH-921026MB	94.3	80	149-43-21	193.1	-15.0	SHORT
CP Granted 06/03/93 per FCC release #21654 dated 06/09/93; Call Granted 07/23/93 per FCC release #210 dated 07/23/93								
KT00	LIC	CAPITAL COMMUNITY BCG IN	*282A	1.40	58-18-04	103.7	928.2	15
JUNEAU	AK	BLED-781013AE	104.3	-317	134-25-21	297.1	913.2	CLEAR
ALLOC			283A		50-33-40	121.2	1818	16
HOLBERG	BC		104.5		127-53-15	319.6	1802	CLEAR

>> End of channel 229C2 study <<

ATTACHMENT B

In the matter of)
)
 Amendment of Section 73.202(b))
 Table of Assignments) MM Docket No. 94-
 FM Broadcast Stations) RM-
 (Anchorage, Alaska))

NOTICE OF PROPOSED RULEMAKING

Adopted: ; Released:

By the Chief, Policy and Rules Division.

1. Christian Broadcasting, Inc. filed a petition for rule making on June , 1994, seeking to assign Channel 229C2 to Anchorage, Alaska. Petitioner has stated its intention to apply for the channel, if assigned. Channel 287A can be assigned in compliance with mileage separation requirements.

2. In view of the foregoing, the Commission believes it appropriate to propose the amendment of the FM Table of Assignments (Section 73.202(b) of the Commission's Rules) with regard to the following community:

<u>City</u>	<u>Present</u>	Channel No.	<u>Proposed</u>
Anchorage, Alaska	225C, 247C1, 251C1, 263C3, 267C, 271C3, 276C1, 281C1, 287C1, 293C, 298C		225C, 247C1, 251C1, 263C3, 267C, 271C3, 276C1, 281C1, 287C1 293C, 298C, 229C2

3. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures and filing requirements are contained in the attached Appendix and incorporated by reference herein. NOTE: A showing of continuing interest is required by Paragraph 2 of the Appendix before a channel will be assigned.

4. Interested parties may file comments on or before
 , 1993 and reply comments on or before
 , and are advised to read the Appendix for
the proper procedures.

5. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend Sections 73.202(b), 73.504 and 73.606(b) of the Commission's Rules, 46 Fed.Reg. 11549, published February 9, 1981.

6. For further information, concerning this proceeding, contact
 , Mass Media Bureau, (202) 634-6530. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all ex parte contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An ex parte contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an ex parte presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an ex parte presentation and shall not be considered in the proceeding.

FEDERAL COMMUNICATIONS COMMISSION

Chief, Allocations Branch
Mass Media Bureau

Attachment: Appendix